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19  
20 Attorneys for Plaintiff  
21 UNITED STATES OF AMERICA

22  
23 UNITED STATES DISTRICT COURT

24 FOR THE CENTRAL DISTRICT OF CALIFORNIA

25 IN THE MATTER OF THE SEIZURE OF:

26 ANY AND ALL FUNDS HELD IN  
27 REPUBLIC BANK OF ARIZONA  
28 ACCOUNTS XXXX1889; XXXX2592,  
XXXX1938, XXXX2912, AND  
XXXX2500.

No. CV 18-06742-RGK (MAAx)

**GOVERNMENT'S EX PARTE APPLICATION  
TO EXTEND DEADLINE AND HEARING**

CURRENT DEADLINE AND HEARING  
Opposition Deadline: 8/27/18  
Hearing: 9/10/18  
Hearing Time: 9:00 A.M.

PROPOSED  
Opposition Deadline: 9/10/18  
Hearing Deadline: 9/24/18  
Location: Courtroom of the  
Hon. R. Gary  
Klausner

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30 On August 1, 2018, James Larkin, defendant in the criminal case  
31 *United States v. Michael Lacey, et al.* CR 18-422-PHX-SPL, though his  
32 attorney of record Thomas H. Bienert, Jr., filed a Notice of Motion

1 and Motion to Vacate or Modify Seizure Warrants, which motion was  
2 joined by defendants Lacy, Brunst, and Spear ("defendants' Motion").  
3 The matter was initially scheduled to be heard by the Honorable  
4 Patrick J. Walsh, United States Magistrate Judge for the Central  
5 District of California. However, on August 7, 2018, the matter was  
6 reassigned to the Honorable R. Gary Klausner, United States District  
7 Judge for the Central District of California. Thereafter, the Court  
8 vacated all dates set by Judge Walsh and set a hearing date for  
9 September 10, 2018.

10 On August 23, 2018, the parties jointly moved to extend the  
11 government's opposition to defendants' motion from August 17, 2018,  
12 to and including August 27, 2018, and further agreed to continue the  
13 related hearing from September 10, 2018, to September 17, 2018. To  
14 date, the Court has not issued an Order based on that stipulation.

15 Now, for the reason described below, the government hereby  
16 applies *ex parte* to extend until September 10, 2018, any government  
17 deadline to file an opposition to defendants' Motion and to extend  
18 the hearing to September 24, 2018, at 9:00 a.m.

19 On August 27, 2018, the government filed its Application for  
20 Order Regarding Criminal Forfeiture of Property in Government Custody  
21 in the related criminal case CR 18-00422-PHX-SPL (BSB). See  
22 Attachment A. Should that Order issue, the government intends to  
23 move this Court to find that defendants' Motion is moot, and the  
24 government will not object to the filing of any related appropriate  
25 motion defendants may seek to file in the District of Arizona.

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The government has sought to contact defendants' counsel, and those counsel with whom the government has spoken have indicated their opposition to this application.

Dated: August 27, 2018

Respectfully submitted,

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/s/John J. Kucera

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